

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REIKO ELIO PENUNURI,

Defendant.

8:18-CR-152

**ORDER ON DEFENDANT’S REQUEST
FOR A COPY OF HIS CRIMINAL
DOCKET SHEET, PLEA AGREEMENT,
AND SENTENCING TRANSCRIPT**

On September 25, 2023, the Court received a handwritten request from the defendant Reiko Elio Penunuri seeking “a copy of the Criminal Docket Sheet, Plea Agreement, and Sentencing Transcript” in his case (*i.e.*, Case No. 8:18–CR–152). [Filing 456 at 1](#). In his written submission, Penunuri also “ask[ed] for an order permitting [him] to obtain the above documents as a poor person and that [he] be furnished with the stenographic transcript of [his] sentencing held on January 13, 2021.” [Filing 456 at 1](#).¹

Under federal law, and subject to certain exceptions, “any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possess that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal, and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1). Penunuri’s handwritten request does not state the nature of the action for which he seeks these

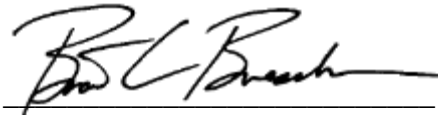
¹Penunuri pleaded guilty to Counts I and XI of the Indictment. [Filing 376 at 1](#). Count I charged him with conspiracy to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing methamphetamine. [Filing 72 at 1](#); [Filing 376 at 1](#). Count XI of the Indictment charged him with violating 18 U.S.C. §§ 1952(a)(1) & (a)(3) and 2 (*i.e.*, using an interstate facility in relation to a business enterprise involving the distribution of controlled substances). Penunuri was sentenced to serve 240 months imprisonment on Count I and 60 months imprisonment on Count XI (to be served concurrently with Count I).

documents with their associated fees and costs waived. The Court further notes that he does not presently have any motions for relief or other matters pending before the Court at this time. Finally, even if Penunuri were entitled to proceed *in forma pauperis* in a future action that he properly identifies, “[t]he statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment.” [Cox v. Bd. of Parole, No. 8:23CV202, 2023 WL 4596017, at *1 \(D. Neb. July 18, 2023\)](#) (citing 28 U.S.C. § 1915). Accordingly, the Court will deny his Motion.

IT IS ORDERED: Penunuri’s requests for a copy of the criminal docket sheet, the plea agreement, and the sentencing transcript in Case No. 8:18–CR–157 as well as his request to obtain these documents with the fees and costs waived are denied.

Dated this 4th day of October, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge